

REMARKS/ARGUMENTS

Claims 12-29 are now in the case. Claims 12 and 22 have been amended to specify that the composition comprises a mixture of the amine based and cellulosic ingredients. Basis is in the claim as originally presented. Claims 12 and 22 have been amended to correct informalities, as suggested by the Examiner. Claim 24 has been amended to replace the "preferably" term with the more acceptable "optionally" term. Claim 25 has been amended in the manner suggested by the Examiner to remove the "preferably" phase. Again, following the Examiner's helpful suggestion, the nonanoyloxybenzene sulfonate of Claim 25 has now been presented in New Claim 29. It is submitted that all amendments to the claims are fully supported, and entry is requested.

Specification

The requirement for an **Abstract** at page 2 of the Office Action has been met by the submission of new **Abstract** herewith, on a separate sheet.

Claim Objections

It is submitted that the formal objections to various claims have been fully met by the amendments, as noted above.

Claim of C-I-P Status

The specification has been amended pursuant to the provisions of MPEP 201.08 to claim continuation-in-part status from Application Serial No. 09/202,387, now U.S. Patent 6,384,011 B1. It is submitted that this is appropriate, inasmuch as:

- A.) There is at least one common inventor in the two cases, i.e., Jennifer Ann Leupin;
- B.) The present application carries an International PCT filing date of 02/10/99, and was thus co-pending with 09/202,387; and
- C.) The present specification has now been amended to claim C-I-P status.

Moreover, the present application repeats some substantial portion of the earlier application and adds matter not disclosed in said earlier application, as follows;

- i.) The disclosure of detergent ingredients, in both cases;
- ii.) The disclosure of the usage of the disclosed compositions in fabric care operations, in both cases; and
- iii.) The disclosure of the key hydrophobically modified cellulose, in both cases.

The present invention differs significantly in the recitation of the compositions and methods which employ mixtures of the aforesaid cellulose with the cyclic amine based polymers/oligomers, as now claimed.

In short, it is submitted that the present case meets all the requirements of C-I-P status from U.S. 6,384,011 B1, and it is requested that this status be made of record herein.

Rejections Under 35 USC 102

Claims 12-28 stand rejected over DE 19643281, corresponding to U.S. 6,025,322, for reasons of record at pages 3-4 of the Office Action.

Claims 12-28 stand rejected over WO 98/29528, for reasons of record at pages 4-5 of the Office Action.

Claims 12-28 stand rejected over U.S. 6,384,011, for reasons of record at pages 5-6 of the Office Action.

Applicants respectfully traverse all rejections, to the extent they may apply to the claims as amended herewith.

At the outset, it is submitted that '011 cannot be applied against the instant application, due to the C-I-P status, discussed above. Moreover, the cited portions of neither '322 nor WO '528 would appear to teach the mixture of oligomers/polymers used in the present invention. (For that matter, the cited portion of '011, likewise, does not teach the mixtures. However, as noted above, '011 cannot be applied herein.)

In short, since none of the disclosure cited by the Examiner appears to teach all elements of the present invention, it is respectfully submitted that the rejection under §102 cannot be maintained, as a matter of law. Reconsideration and withdrawal of the rejections on this basis are requested.

Obviousness-Type Double Patenting Rejections

Claims 12-22 and 28 stand rejected over U.S. 6,384,011, for reasons of record at pages 7-8 of the Office Action.

Claims 12-22 and 28 stand rejected over U.S. 6,472,364, for reasons of record at pages 8-9 of the Office Action.

Submitted herewith is a Terminal Disclaimer over the '011 and '364 patents.


Provisional Obviousness-Type Double Patenting Rejection

Claims 12-28 stand provisionally rejected over Claims 11-28 of the Application No. 09/806,882, for reasons of record at pages 9-10 of the Office Action.

It is submitted that this provisional rejection should be held in abeyance, pending resolution of the patentability of the claims in the respective applications.

In light of the amendments to the claims, the arguments presented and the submission of the Terminal Disclaimer, it is submitted that the application is in condition for allowance. Early and favorable action is requested.

Respectfully submitted,
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